

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:13-cr-185

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.

(1) WOODROW PAUL BURGESS  
a/k/a "Woody Burgess"  
  
Defendant.

**ORDER  
(BY CONSENT)**

**THIS MATTER** is before the Court on the government's motion, by and with the defendant's consent, to vacate a forfeiture money judgment, dismiss the forfeiture of certain seized firearms, and order that defendant receive credit for the value of those firearms and certain tendered funds against his restitution obligation herein. (Doc. No. 23). The government has represented and provided documentation showing that defendant, through counsel, has consented to this motion, and that the parties agree that the motion reflects the original intent of the parties regarding forfeiture and restitution in this case, in accordance with the defendant's plea agreement.

**IT IS, THEREFORE, ORDERED:**

1. That the forfeiture money judgment entered on July 18, 2013, (Doc. No. 10), in the amount of \$8,490.00, is hereby vacated;
2. That the forfeiture of three seized firearms listed in the supplemental preliminary consent order entered on October 21, 2014, (Doc. No. 18), is dismissed;
3. That the Marshals Service is directed to pay the sum of \$8,490.00 received from defendant to the Clerk as restitution in this case;
4. The Clerk is directed to give defendant credit against his restitution obligation for \$2,557.69 (representing the value of the three seized firearms returned to the City of Cherryville) and the sum of \$8,490 received from the Marshals Service.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: August 11, 2015

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

